

07-31-00

PTO/SB/05 (1/98)

Please type a plus sign (+) inside this box

Approved for filing through 9/30/2000. OMB 0651-0032
Patent and Trademark Office DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

UTILITY
PATENT APPLICATION
TRANSMITTAL

Only for new nonprovisional applications under 37 CFR 1.53(b)

Attorney Docket No.	4291C3
First Inventor or Application Identifier	Timothy M. Woudenberg
Title	DEVICE AND METHOD FOR MULTIPLE ANALYTE DETECTION
Express Mail Label No.	EM 011 979 190 US

APPLICATION ELEMENTS
See MPEP chapter 600 concerning utility patent application contents.ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

1. ☒ * Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)
2. ☒ Specification [Total Pages 62]
(preferred arrangement set forth below)
- Descriptive title of the invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to Microfiche Appendix
 - Background of the invention
 - Brief Summary of the invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
3. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 4]
4. Oath or Declaration [Total Pages 6]
- a. ☐ Newly executed (original or copy)
- b. ☒ Copy from a prior application (37 C.F.R. § 1.63(d))
(for continuation/divisional with Box 17 completed)
[Note Box 5 below]
- i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).
5. ☒ Incorporation By Reference (useable if Box 4b is checked)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered to be part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

6. ☐ Microfiche Computer Program (Appendix)
7. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
- a. ☐ Computer Readable Copy
- b. ☐ Paper Copy (identical to computer copy)
- c. ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

8. ☐ Assignment Papers (cover sheet & document(s))
9. ☐ 37 C.F.R. §3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
10. ☐ English Translation Document (if applicable)
11. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
12. ☐ Preliminary Amendment
13. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
14. ☐ *Small Entity ☐ Statement filed in prior application, Status still proper and desired
(PTO/SB/09-12)
15. ☐ Certified copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Other: _____

* A new statement is required to be entitled to pay small entity fees, except where one has been filed in a prior application and is being relied upon.

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 09/012,045 filed January 22, 1998

Prior application information:

Examiner: S. D.

Group Art Unit: 1641

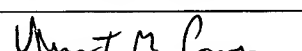
18. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)

or ☐ Correspondence address below

Name					
Address					
City	State	Zip Code			
Country	Telephone	Fax			

Name (Print/Type)	Vincent M. Powers	Registration No. (Attorney/Agent)	36,246
Signature		Date	07/28/00

CERTIFICATION UNDER 37 CFR 1.10

Express Mail Number: EM 011 979 190 US

Date of Deposit: July 28, 2000

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Box: Patent Application, Washington, D.C. 20231.

PATTI SELAN
(Print Name of Person Mailing Application)

Patti Selan
(Signature of Person Mailing Application)

**Transmittal of Continuation Patent Application
For Filing Under 37 CFR 1.53(b)**

ATTORNEY DOCKET NO.
PRIOR APPLICATION:

4291C3
Examiner: **Devi, S.**

Art Unit: 1641

3662 U.S. PTO
09/627580
07/28/00

Assistant Commissioner for Patents
Box: Patent Application
Washington, D.C. 20231

Sir:

This is a request for filing a ☒ continuation ☐ divisional application under 37 CFR 1.53(b), of pending prior application serial no. 09/012,045 filed on January 22, 1998 by Timothy M. Woudenberg, Michael Albin, Reid B. Kowallis, Yefim Raysberg, Robert P. Ragusa and Emily S. Winn-Deen entitled

DEVICE AND METHOD FOR MULTIPLE ANALYTE DETECTION

1. Enclosed are:

- ☒ One stamped, self-addressed postcard for PTO datestamp.
- ☒ Certificate of Express Mail.
- ☒ One utility patent application containing text pages 1 - 62 and 4 sheets of formal drawings.
- ☒ Copy of executed Declaration of Inventorship from grandparent application serial no. 08/831,983.
- ☐ Sequence Listing printout, Request to Use from prior application, and matching Declaration.
- ☐ A Preliminary Amendment.
- ☐ A new Power of Attorney.

2. Amendment

- ☐ Please enter the enclosed Preliminary Amendment before calculating the filing fee. It is understood that only amendments reducing the number of claims will be entered for this purpose.
- ☒ Please cancel original claims 2-40 inclusive, before calculating the filing fee. (At least one original independent claim should be retained for filing purposes.)

3. Extension of Time

- ☐ A petition for extension of time has been filed in the parent to extend the pendency of the parent to _____ (copy enclosed).
- ☒ Conditional Petition for Extension of Time: An Extension of Time is requested to provide for timely filing if required to establish copendency with the parent after all papers filed herewith have been considered.

4. Prior Documents Still in Effect

☒ This application and parent application Serial No. 09/012,045 filed January 22, 1998 and grandparent application Serial No. 08/831,983 filed April 2, 1997 are assigned of record to The Perkin-Elmer Corporation.

☒ Power of attorney in the above-identified prior application is to Vincent M. Powers, Reg. No. 36,246, and the other attorneys or agents identified therein.

5. Fees

The filing fee is calculated below taking into account any amendments in section 2 above:

FOR	NUMBER FILED	NUMBER EXTRA	RATE	FEE
TOTAL CLAIMS	1 - 20	0	X \$18	\$0.00
INDEPENDENT CLAIMS	1 - 3	0	X \$78	\$0.00
	BASIC FEE			\$690.00
	Multiple Dependency Fee If Applicable \$260.00			
	Total			
	50% Reduction for Independent Inventor, Non-profit Organization or Small Business Concern			
	TOTAL FILING FEE			\$690.00

☒ The Commissioner is hereby authorized to charge the filing fee, any deficiency in fees under 37 CFR 1.16 and 1.17, or any other fees necessary for timely filing of this application, or credit any overpayment to Deposit Account No. 01-2213. A duplicate copy of this sheet is enclosed.

☐ A check in the amount of \$ _____ is enclosed.

☐ Filing fee to be submitted in response to anticipated receipt of Notice to File Missing Parts.
DO NOT CHARGE DEPOSIT ACCOUNT.

Respectfully submitted,

Dated: July 28, 2000



Vincent M. Powers, Reg. No. 36,246

Correspondence Address:

Applied Biosystems
850 Lincoln Centre Drive
Foster City, California 94404
Telephone: 650-638-6492
Facsimile: 650-638-6677

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL
for FY 2000**

Patent fees are subject to annual revision.
Small Entity payments must be supported by a small entity statement,
otherwise large entity fees must be paid. See Forms PTO/SD/09-12.
See 37 C.F.R. §§ 1.27 and 1.28.

		Complete if Known	
		Application Number	To be assigned
		Filing Date	July 28, 2000
		First Named Inventor	Timothy M. Woudenberg et al.
		Examiner Name	Devi, S.
		Group / Art Unit	1641
TOTAL AMOUNT OF PAYMENT		Attorney Docket No.	4291C3

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

Deposit
Account
Number
Deposit
Account
Name

01-2213

PE Applied Biosystems Div.

- ☒ Charge any Additional Fee Required
Under 37 CFR 1.16 and 1.17

2. ☐ Payment Enclosed:

☐ Check ☐ Money Order ☐ Other

FEE CALCULATION**1. BASIC FILING FEE**

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid	
101	690	201	345	Utility filing fee	690.00
106	310	206	155	Design filing fee	
107	480	207	240	Plant filing fee	
108	690	208	345	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$ 690.00)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid	
1	-20**= 0	18	0.00	
Independent Claims	1	-3**= 0	78	0.00
Multiple Dependent		0	0.00	

**or number previously paid, if greater; For Reissues, see below

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Description	
103	18	203	9	Claims in excess of 20
102	78	202	39	Independent claims in excess of 3
104	260	204	130	Multiple dependent claim, if not paid
109	78	209	39	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0.00)

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

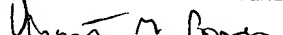
Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2520	147	2520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1840*	113	1840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	380	216	190	Extension for reply within second month	
117	870	217	435	Extension for reply within third month	
118	1360	218	680	Extension for reply within fourth month	
128	1850	228	925	Extension for reply within fifth month	
119	300	219	150	Notice of Appeal	
120	300	220	150	Filing a brief in support of an appeal	
121	260	221	130	Request for oral hearing	
138	1510	138	1510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1210	241	605	Petition to revive - unintentional	
142	1210	242	605	Utility issue fee (or reissue)	
143	430	243	215	Design issue fee	
144	580	244	290	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	690	246	345	Filing a submission after final rejection (37 CFR 1.129(a))	
149	690	249	345	For each additional invention to be examined (37 CFR 1.129(b))	

Other fee (specify) _____

Other fee (specify) _____

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0.00)

SUBMITTED BY				Complete (if applicable)	
Name (Print/Type)	Vincent M. Powers	Registration No. (Attorney/Agent)	36,246	Telephone	(650)638-6492
Signature		Date	July 28, 2000		

WARNING:

Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.